

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	
)	Case No. 1:09-CR-56
v.)	
)	Chief Judge Curtis L. Collier
)	
EDIBERTO SANCHEZ-DIAZ)	

ORDER

On December 22, 2009, United States Magistrate Susan K. Lee conducted a change of plea hearing in this case and filed a report and recommendation (Court File No. 30) recommending the Court: (1) accept Defendant's plea of guilty to the charge in Count One of the Indictment; (2) adjudicate Defendant guilty of the charge set forth in Count One of the Indictment; (3) defer a decision on whether to accept the plea agreement until sentencing; and (4) find Defendant shall remain in custody until sentencing in this matter. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Court File No. 30) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's plea of guilty to the charge in Count One of the Indictment is **ACCEPTED**;
- (2) Defendant is hereby **ADJUDGED** guilty of the charge in Count One of the Indictment;
- (3) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing;

and

- (4) Defendant **SHALL REMAIN** in custody until sentencing in this matter, which is scheduled to take place on **Thursday, April 8, 2010 at 9:00 a.m.** before the Honorable Curtis L. Collier.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE